

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

10 UNITED STATES OF AMERICA, )  
11 Plaintiff, ) CASE NO. 05-588M  
12 v. )  
13 ) DETENTION ORDER  
14 HECTOR JUAN FELIX, )  
15 Defendant. )

**Offense charged:**

Count 1: Conspiracy to Distribute Methamphetamine, in violation of Title 21, U.S.C., Sections 841(a)(1), 841(b)(1)(a), and 846;

Counts 2-7: Distribution of Methamphetamine, in violation of Title 21, U.S.C., Sections 841(a)(1) and 841(b)(1)(B) and Title 18, U.S.C., Section 2.

Date of Detention Hearing: December 13, 2005.

22 The Court, having conducted a contested detention hearing pursuant to Title 18  
23 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention  
24 hereafter set forth, finds that no condition or combination of conditions which the defendant  
25 can meet will reasonably assure the appearance of the defendant as required and the safety  
26 of any other person and the community. The Government was represented by Adam Cornell

## DETENTION ORDER

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1 and John Lulejian. The defendant was represented by Peter Avenia.

2 **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

3 (1) There is probable cause to believe the defendant committed the drug  
4 offense. The maximum penalty is in excess of ten years. There is  
5 therefore a rebuttable presumption against the defendant's release based  
6 upon both dangerousness and flight risk, under Title 18 U.S.C. §  
7 3142(e).

8 (2) Nothing in this record satisfactorily rebuts the presumption against  
9 release for several reasons:

10 (a) Due to the nature of the instant offense and the weight of the  
11 evidence, defendant is viewed as a flight risk. The charges  
12 involve purchase of a kilo or more of drugs and \$25,000.00. The  
13 Title III wiretaps reveals defendant's conduct in the drug  
14 conspiracy. On the day of arrest defendant was in possession of  
15 19 grams of "Ice".

16 (b) These new drug charges occurred while defendant was on  
17 probation to Superior Court in Snohomish County.

18 (c) A search of defendant's vehicle revealed a hidden compartment  
19 containing drugs and a firearm.

20 (d) The defendant's record reveals a history of non-appearance.

21 (e) Defendant has problems with substance abuse.

22 (3) Based upon the foregoing information, which is consistent with the  
23 recommendation of U.S. Pre-trial Services, it appears that there is no  
24 condition or combination of conditions that would reasonably assure  
25 future Court appearances and/or the safety of other persons or the  
26 community.

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2 **It is therefore ORDERED:**

3 (1) The defendant shall be detained pending trial and committed to the  
4 custody of the Attorney General for confinement in a correction facility  
5 separate, to the extent practicable, from persons awaiting or serving  
6 sentences or being held in custody pending appeal;

7 (2) The defendant shall be afforded reasonable opportunity for private  
8 consultation with counsel;

9 (3) On order of a court of the United States or on request of an attorney for  
10 the Government, the person in charge of the corrections facility in which  
11 the defendant is confined shall deliver the defendant to a United States  
12 Marshal for the purpose of an appearance in connection with a court  
13 proceeding; and

14 (4) The clerk shall direct copies of this order to counsel for the United  
15 States, to counsel for the defendant, to the United States Marshal, and to  
16 the United States Pretrial Services Officer.

17 DATED this 14<sup>th</sup> day of December, 2005.

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21 MONICA J. BENTON  
22 United States Magistrate Judge  
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